

**UNITED STATES NAVY-MARINE CORPS
COURT OF CRIMINAL APPEALS
WASHINGTON, D.C.**

**Before
E.E. GEISER, L.T. BOOKER, J.K. CARBERRY
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**ANDREW S. KIVETT
PRIVATE (E-1), U.S. MARINE CORPS**

**NMCCA 200900606
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 17 August 2009.

Military Judge: Col Daniel J. Daugherty, USMC.

Convening Authority: Commanding Officer, Combat Logistics
Battalion-6, 2d Marine Logistics Group, Camp Lejeune, NC.

Staff Judge Advocate's Recommendation: Capt K.J. Gruver,
USMC.

For Appellant: CDR R.D. Evans, Jr., JAGC, USN.

For Appellee: Mr. Brian K. Keller, Esq.

21 January 2010

OPINION OF THE COURT

After careful consideration of the record, submitted without assignment of error, we affirm the findings and sentence as approved by the convening authority. Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c).

For the Court

R.H. TROIDL
Clerk of Court